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EXAMINER

VU, N

ART UNIT

PAPER NUMBER

2711

DATE MAILED: 05/24/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/371,537

Applicant(s)

Suda et al

Examiner

Ngoc Vu

Group Art Unit

2711



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

- ☒ Claim(s) 1-21 \_\_\_\_\_ is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-21 \_\_\_\_\_ is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. Claim 2,8 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 2, 8 and 15, the term "PIAFS" or "PHS Internet Access Forum Standard" is not the standard referenced in the specification with a date or a copy provided.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1, 3-4, 5-9, 12, 15, 17-19, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al (US 5,579,239) in view of Ogino et al (US 6,038,625).

Regarding claims 1, 7 and 15, Freeman et al discloses a data communication apparatus and method comprising: data communication between a first equipment 1-2 performing wireless data transmission and reception according to first protocol (col 4, lines 28-31 and col 10, lines 43-45) and a second equipment 3-4 performing transmission and reception according to a second protocol ; conversion means for performing format conversion by unit 4 where unit 4 converts the VGA signal into an NTSC signal for display at the TV (col 12, lines 52-60). Freeman et al fails to disclose a home bus in second protocol. However, Ogino et al teaches a system that an electronic device 20 couple to the IEEE 1394 communication bus 30 (col 22, lines 16-17). Therefore, it would have been obvious to the one of ordinary skill in the art at the time the invention was made to modify Freeman et al by including a home bus with an IEEE 1394 protocol in order to use an industry standard protocol well known to enable fast transmission of large data amounts.

Regarding claims 3- 4 and 17-18, Freeman et al teaches that conversion means converts packet data or recording format and a compression format (col 12, lines 52-60).

Regarding claims 5 and 19, Freeman et al discloses the first and second equipments includes video reproduction function, a video recording function and a video display function (col 4, lines 8-16).

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Regarding claims 6 and 20, Freeman discloses first equipment transmits data including control data from remote unit 2 for controlling an operation of said second equipment (col 4, lines 39-49).

Regarding claims 8 and 12, Freeman et al discloses a data communication system comprising: first equipment 1-2 for performing wireless data transmission and reception, a second equipment 3-4 for performing data transmission and reception; a home station 4 performs format conversion of received data from first equipment. Freeman et al fails to disclose second equipment connected to said home station through a home bus. However, Ogino et al teaches a system that an electronic device 20 couple to the IEEE 1394 communication bus 30 (col 22, lines 16-17). Therefore, it would have been obvious to the one of ordinary skill in the art at the time the invention was made to modify Freeman et al by including home bus in order to use an industry standard protocol well known to enable fast transmission of large data amounts.

Regarding claim 9, Freeman et al discloses the first and second equipments includes video reproduction function, a video recording function and a video display function (col 4, lines 8-16).

Regarding claim 21, Freeman et al discloses a storage medium which computer-readably stores a process step of performing data communication between a first equipment 1-2 performing wireless data transmission and reception according to first protocol (col 4, lines 28-31 and col 10, lines 43-45) and a second equipment 3-4 performing transmission and reception according to a second protocol ; conversion means for performing format conversion by unit 4

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(col 12, lines 52-60). Freeman et al fails to disclose a home bus in second protocol. However, Ogino et al teaches a system that an electronic device 20 couple to the IEEE 1394 communication bus 30 (col 22, lines 16-17). Therefore, it would have been obvious to the one of ordinary skill in the art at the time the invention was made to modify Freeman et al by including home bus in order to use an industry standard protocol well known to enable fast transmission of large data amounts.

4. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al (US 5,579,239) in view of Ogino et al (US 6,038,625) and further view of Parulski et al (US 5,666,159).

Regarding claim 13, Freeman et al disclose a data communication system comprising a home station 4 for performing transmission and reception of wireless data from remote unit 2, and controlled equipment 3 connected to home station 4 in characterized in that home station performs format conversion of received data (col 4, lines 7-14; col 10, lines 33-49 and col 12, lines 52-60). Freeman et al fails to teach said controlled equipment connected to said home station through a home bus . However, Ogino et al teaches a system that an electronic device 20 couple to the IEEE 1394 communication bus 30 (col 22, lines 16-17). Therefore, it would have been obvious to the one of ordinary skill in the art at the time the invention was made to modify Freeman et al by including home bus in order to use an industry standard protocol well known to enable fast transmission of large data amounts. Freeman et al does not disclose a wireless telephone equipment. However, Parulski et al discloses a cellular telephone 48 transmits

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electronic image data to remote base units (col 4, lines 49-61). Therefore, it would have been obvious to the one of ordinary skill in the art at the time the invention was made to modify Freeman et al by including a wireless telephone equipment in order to have a better data communication mechanism without the additional hindrance inherent to a wired connection.

Regarding claim 14, Freeman et al does not disclose wireless telephone equipment includes an operation panel capable of changing a screen in correspondence with the wirelessly transmitted equipment control data. However, Parulski et al teaches that the keypad 58 in cellular telephone 48 can be utilized as the image capture switch in an image capture mode of operation. The digitize picture data is displayed on the display screen 56 and transmit data to remote base unit (col 4, lines 44-48). Therefore, it would have been obvious to the one of ordinary skill in the art at the time the invention was made to modify Freeman et al by including a wireless telephone equipment includes an operation panel capable of changing a screen in correspondence with the wireless transmitted equipment control data in order to have a high quality of viewing image.

5. Claims 2, 10-11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman (US 5,579,239) in view of Ogino et al (US 6,038,625) and further in view of Kagaya et al (EP 886420A2).

Regarding claims 2 and 16, Freeman et al fails to teach the second protocol is an IEEE 1394. However, Ogino et al teaches a system that the several consumer electronics products such as television, VCR, and DVD players can be coupled to communicate together via a standard bus IEEE 1394 (col 2, lines 50-57). Therefore, it would have been obvious to the one of ordinary skill

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in the art at the time the invention was made to modify Freeman et al by including IEEE 1394 standard protocol in order to use an industry standard protocol well known to enable fast transmission of large data amounts. Freeman et al also fails to teach the first protocol is PIAFS . However, Kagaya et al discloses that data transmission/reception is started upon establishing a PIAFS link by the predetermined negotiation conforming to the PIAFS protocol (col 15, lines 46-50). Therefore, it would have been obvious to the one of ordinary skill in the art at the time the invention was made to modify Freeman et al by including PIAFS protocol in order to have high quality of transmission image data in radio communication system.

Regarding claims 10-11, Freeman et al teaches that home station 4 performs format conversion packetized data or recording format and a compression format (col 12, lines 52-60).

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure/claims.

Hull et al (US 5,806,005) teaches wireless image transfer from an digital still image video camera to a network computer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc Vu whose telephone number is (703) 306-5976. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:00 PM EDT.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-6306 or (703) 308-6296.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or fax to:**

(703) 308-9051 (for formal communications intended for entry)

(703) 308-5399 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

**Hand-delivered responses should be brought to receptionist:**

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Ngoc Vu  
May 19, 2000



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